

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re U.S. Patent Application of:)	Group Art Unit: 2645
Charles Meubus et al.)	Examiner: Joseph T. Phan
Serial No.: 09/401,521)	Attorney Docket: 92118-11C
Filed: September 22, 1999)	
For: INTERNET-BASED TELEPHONE)	
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The Commissioner for Patents
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Dear Sir:

PTO Customer No. 22463

RESPONSE TO NOTIFICATION OF NON-COMPLIANCE WITH 37 CFR 1.192(C)

In response to the notification of non-compliance with 37 CFR 1.192(c) of June 16, 2004, the Applicant submits herewith a revised Appeal Brief, in triplicate.

The Arguments section of the Appeal Brief has been amended to include a further explanation as to why subsets of claims within each group to which a single ground of rejection has been applied by the Examiner are separately patentable.

For clarity, it is noted that the Applicant-specified "Claim Groups I and II" are actually sub-groups (subsets of claims) within the first Examiner-specified group of claims to which a single ground of rejection was applied (namely, 35 U.S.C. 102). Similarly, the Applicant-

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specified "Claim Groups III and IV" are actually sub-groups within the second Examiner-specified group of claims to which a single ground of rejection was applied (namely, 35 U.S.C. 103).

It is believed that the revised Appeal Brief complies with 37 CFR 1.192(c)(7). If the Examiner does not agree, referral of the Appeal Brief to the Board of Patent Appeals and Interferences is respectfully requested.

In view of the foregoing, consideration of the Appeal Brief on the merits is requested.

Respectfully submitted,



Matthew Zischka
Registration No. 41,575

SMART & BIGGAR
438 University Avenue
Suite 1500, Box 111
Toronto, Ontario
Canada M5G 2K8

Telephone: (416) 593-5514
Facsimile: (416) 591-1690

Date: July 16, 2004

MZ/PAC/jbs 92118-11C

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*Intellectual Property & Technology Law***To Fax no.:** 703 872.9306438 University Avenue
Suite 1500, Box 111
Toronto, Canada M5G 2K8**Page 1 of:** 87Tel.: (416) 593-5514
Fax: (416) 591-1690**Attention:** Board of Appeals
Examiner: Joseph T. Phan
United States Patent and
Trademark Office**From:** Matthew Zischka**Your file no.:** 09/401,521**Date:** July 16, 2004**Reply to Toronto file no.:** 92118-11C**Time:****Attached please find:**

1. **Response to Notification of Non-Compliance with 37 CFR 1.192(C);**
2. **Appeal Brief (in triplicate)**

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